

9 || MOSSER COMPANIES, INC., No. C 17-05713 JSW

10 Plaintiff,

11 || V.

## **ORDER OF REMAND**

12 ROBERT EBERWEIN and  
13 CHALEDEEANNKA DEBORAH ANN  
GOYENS.

14 || Defendants.

16       Federal courts have a duty to raise and decide issues of subject matter jurisdiction *sua sponte*  
17 at any time it appears subject matter jurisdiction may be lacking. Fed. R. Civ. P. 12; *Augustine v.*  
18 *United States*, 704 F.2d 1074, 1077 (9th Cir. 1983). It having appeared that this Court lacks  
19 jurisdiction to hear this matter, the Court issued an order to show cause to Defendants to respond in  
20 writing by no later than November 27, 2017 why this case should not be remanded to the Superior  
21 Court of the State of California for the County of San Francisco. Defendants were admonished that  
22 failure to respond would result in the remand of this action for lack of subject matter jurisdiction.

23 The Court has received no answer to its order to show cause. Accordingly, this unlawful  
24 detainer action is remanded to the Superior Court of the State of California for the County of San  
25 Francisco.

26 || IT IS SO ORDERED.

27 || Dated: December 19, 2017

Jeffrey S. White  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

